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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/538,660 | 12/01/2005 | Stefan Hohl | 095309.56263US | 8953 |

23911 7590 11/05/2008
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| EXAMINER |
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SAMPLE, JONATHAN L

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| ART UNIT | PAPER NUMBER |
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4184

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| MAIL DATE | DELIVERY MODE |
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11/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/538,660 | Applicant(s) HOHL ET AL. | |
| | Examiner JONATHAN SAMPLE | Art Unit 4184 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>6/10/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Receipt is acknowledged of the IDS filed on 6/10/2005, which has been entered in the file. Claims 1-16 and 18 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al (US 6,594,557 B1) in view of Tan et al (US 6,574,531 B2).

Re claims 1-12, 16 and 18. Stefan et al teaches (re claim 1) a method for providing information support to a vehicle driver by means of a vehicle multimedia system (Figure 1, vehicle data processing system 10), which includes a vehicle computer (Figure 1, vehicle computer 14) and an external computer (Figure 1, resource data system 20) that exchange data in a bidirectional communication, said method comprising: providing special memory areas (information packets) in the vehicle computer and in the external computer, contents of said special memory areas characterizing elements of information available to and selectable by the driver of a vehicle by means of the vehicle multimedia system. Stefan et al teaches information packets (special memory areas), which are comprised of various information requested by the vehicle computer (Figure 1, vehicle computer 14), then transferred to said vehicle computer (Figure 1, vehicle

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computer 14), and processed and displayed to the user (col. 2, lines 36-60); (re claim 1) wherein, contents of the special memory areas are automatically compared. Stefan et al teaches one embodiment of his invention where an information packet (special memory area) is used to compare best prices at retail locations (Figure 3, col. 4, lines 19-35). Another embodiment taught by Stefan et al is using an information packet (special memory area) to compare cheapest fuel price at nearby gas stations. (col. 2, lines 62-63); and (re claim 1) data are exchanged only after successful selection or alteration by the driver of the vehicles via bidirectional communication (col. 3, lines 41-59); (re claim 4) wherein processing is performed at least in part by intervention of a human operator. Stefan et al uses an operator interface (Figure 1, operator interface 12) to allow the occupant of the vehicle to input information for the vehicle computer (Figure 1, vehicle computer 14) to process information via a data engine (Figure 1, data engine 13, col. 2, lines 11-21); (re claim 6) wherein the comparison of contents of the special memory areas is performed automatically after one of triggering by the driver in an event-controlled manner, time controlled manner, and under control of the external computer. Stefan et al teaches that in the event-controlled manner of fuel level becoming too low, then the special memory area of the vehicle computer is accessed via an information agent, and nearby fuel stations are located and transmitted to the operator (col. 3, lines 21-40); (re claim 7) wherein an information element designed to be removed from the information supply of the vehicle multimedia system remains in the special memory areas, but is provided with a special identifier which causes this element to be unavailable for the vehicle multimedia system. Stefan et al teaches that only the needed or required information is transmitted to the operator of the vehicle, and therefore any unnecessary information within the information packet is not included in the transmission to the operator.

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(col. 2, lines 11-35); (re claim 9) wherein a navigation unit autonomous to the vehicle is provided (col. 3, lines 10-21); (re claim 10) wherein, geographic positions which pertain to an element of the information supply available to the driver of the vehicle are converted by the navigation unit into navigation-unit-specific coordinates at the time of their initial use; and, the coordinates are stored in a manner associated with the element (col. 3, lines 10-21). As discussed above, Stefan et al teaches information packets for storing information requested by the operator, which has been interpreted to include navigation-unit-specific coordinates requested by the operator; (re claim 11) wherein the vehicle computer and the external computer communicate bidirectionally via a wireless network (col. 3, lines 10-21); (re claim 12) wherein the vehicle computer also provides access to an information supply available outside of the vehicle multimedia system. Stefan et al teaches accessing a resource data system (Figure 1, resource data system, 20) through a wireless network, which is separate from the vehicle computer (Figure 1, vehicle computer 14, col. 3, lines 41-49); (re claim 18) wherein a computer program product having program code stored on a computer-readable medium for performing a method for providing information support to a vehicle driver by means of a vehicle multimedia system which includes a vehicle computer and an external computer that exchange data in a bidirectional communication, said program code including the steps for: providing special memory areas in the vehicle computer and in the external computer, contents of said special memory areas characterizing elements of information available to and selectable by the driver of a vehicle by means of the vehicle multimedia system; wherein, contents of the special memory areas are automatically compared; and data are exchanged only after successful selection or alteration by the driver of the vehicle via bidirectional communication. Stefan et al discloses his method of

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providing information to an operator of a vehicle, via vehicle computer (Figure 1, vehicle computer 14) which would necessitate the need for some type of code stored on some type of computer readable medium, whether it was a hard drive, RAM, ROM, etc., to process the information packets (special memory areas) as discussed above in response to the method of claim 1.

Stefan et al fails to specifically teach: (re claim 1) causing the contents of these special memory areas to be modifiable by the driver of the vehicle through an input mode which does not negatively affect driving safety; (re claim 2) wherein the content of the special memory areas can be modified by the driver of the vehicle by one of voice input and by manual operation; (re claim 3) wherein the voice input by the driver of the vehicle is processed by the external computer to alter the contents of the special memory areas; (re claim 5) wherein the contents of the special memory areas are modifiable by a vehicle passenger; (re claim 8) wherein selection of an element from the information supply available by means of the vehicle multimedia system is performed by the driver of the vehicle, by voice input; (re claim 16) wherein additional means are provided for altering the contents of the special memory areas; (re claim 18) causing the contents of these special memory areas to be modifiable by the driver of the vehicle through an input mode which does not negatively affect driving safety.

Tan et al teaches a limited functionality screen for a vehicle multimedia system as a safety precaution for the driver of a vehicle (Fig. 3, and col. 4, lines 35-60). Tan et al also teaches a text to speech engine (Figure 1, 24 and col. 3, lines 51-65) that is adapted to receive audio input from an occupant (driver or passenger) within said vehicle, as well as a manual input operation (col. 2, lines 57-64), both of which are used to access/modify information within the vehicle

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computer. Tan et al goes on to teach additional means to alter the contents of the vehicle multimedia system (col. 2, lines 57-64). Tan et al also teaches a computer readable medium included in the electronics (Figure 1, electronics 16) of a vehicle computer system (Figure 1, vehicle computer system, 10) to access applications of said system (col. 3, lines 30-36), including that of the text-to-speech engine, that allows the driver to input information to the system audibly, and allow the driver's hands to remain on the steering wheel, for increased safety of the vehicle.

In view of Tan et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method for providing information support to a vehicle driver by means of a vehicle multimedia system as taught by Stefan et al, (re claim 1) causing the contents of these special memory areas to be modifiable by the driver of the vehicle through an input mode which does not negatively affect driving safety; (re claim 2) wherein the content of the special memory areas can be modified by the driver of the vehicle by one of voice input and by manual operation; (re claim 3) wherein the voice input by the driver of the vehicle is processed by the external computer to alter the contents of the special memory areas; (re claim 5) wherein the contents of the special memory areas are modifiable by a vehicle passenger; (re claim 8) wherein selection of an element from the information supply available by means of the vehicle multimedia system is performed by the driver of the vehicle, by voice input; (re claim 16) wherein additional means are provided for altering the contents of the special memory areas; (re claim 18) causing the contents of these special memory areas to be modifiable by the driver of the vehicle through an input mode which does not negatively affect driving safety, since Tan et al teaches a plurality of means, including a text to speech engine (voice

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input/output), that is used to communicate information between a driver, or passenger, of a vehicle to and from a vehicle computer system, occupant safety is increased as the need to press buttons, or the like, is not required.

3. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan et al (US 6,594,557 B1) in view of Tan et al (US 6,574,531 B2) as applied to claims 1-12 and 16 above, and further in view of Colson et al (US 6,574,734 B1).

The teachings of Stefan et al and Tan et al have been discussed above.

Stefan et al and Tan et al specifically fail to teach: (re claim 13) wherein means are provided for recognition of a vehicle driver; and the vehicle multimedia system makes the information supply available on personalized basis; (re claim 14) wherein a driver-specific vehicle key is provided as the means for recognition of a driver of a vehicle; (re claim 15) wherein a driver-specific calling number is provided as the means for recognition of a vehicle driver;

Colson et al teaches means for recognition of a vehicle driver via a certificate that identifies a person from a smart key (Figure 6, smart key 604), or by logging onto the vehicle computer system (automotive computing platform) by an authentication token (certificate, voice recognition, user ID/password). Colson et al also teaches that once a person has been identified by the authentication token, discussed above, then a user profile specific to the person with the authentication token, is loaded onto the vehicle computer system. (col. 10, line 32-col. 11, line 6.)

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In view of Colson et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method for providing information support to a vehicle driver by means of a vehicle multimedia system as taught by Stefan et al and Tan et al, (re claim 13) wherein means are provided for recognition of a vehicle driver; and the vehicle multimedia system makes the information supply available on personalized basis; (re claim 14) wherein a driver-specific vehicle key is provided as the means for recognition of a driver of a vehicle; (re claim 15) wherein a driver-specific calling number is provided as the means for recognition of a vehicle driver.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Beckert et al (US 6,202,008 B1), Beckert et al (US 5,794,164 A), and Beckert et al (US 5,949,345 A) all teach vehicle computer systems. Loffert et al (US 6,308,133 B1) teaches a navigation system, and Hoffberg et al (US 6,640,145 B2) teaches multimedia systems using information packets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Sample whose telephone number is (571)270-5925.

The examiner can normally be reached on M-TH 7-4:30, Alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JONATHAN SAMPLE/
Examiner, Art Unit 4184

/Jared J. Fureman/
Supervisory Patent Examiner, Art Unit
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